

Remarks

Claims 1-22 are pending in this application. Claim 1 is in original unamended form and is now subject to its fifth Office Action. The previous rejections to claim 1 have been withdrawn, and claim 1 as well as claims 2, 5-16, 18-20 and 22 now stand rejected under 35 U.S.C. Section 103 in view of the proposed combination of U.S. Patent 6,000,945 to Sanchez-Lazer et al. and U.S. Patent 5,042,668 to Hunt et al. Additionally, claims 3, 4, 17 and 21 stand rejected under 35 U.S.C. Section 103 in view of the proposed combination of Sanchez-Lazer et al., Hunt et al. and U.S. Patent 5,295,067 to Cho et al.

This application was filed on December 22, 2000 and applicant notes that the claim 1, unamended since the original date of its filing, is now subjected to its fifth Office Action. An Office Action based on U.S. Patent 6,772,026 to Bradbury et al. and U.S. Patent 6,058,262 to Kawas et al. was issued on November 3, 2004; a second Office Action based on those same references was issued on July 25, 2005. Next, on January 4, 2006 an Office Action was issued based on U.S. Patent 6,760,767 to Miesbauer et al. and Kawas et al. followed by a subsequent Office Action issued on December 7, 2006, based on U.S. Patent Application 2002/0129001 to Levkoff et al. and U.S. Patent Application 2003/0010870 to Anderson et al. Now this latest, fifth Office Action has issued on September 20, 2007 based on two entirely new references - Sanchez-Lazer et al. and Hunt et al. There is no apparent reason why these rejections could not have been made earlier, particularly where claim 1 has not been amended. This case seems to be the subject of piece meal examination in contravention of MPEP Section 707. 7(g). As noted below, applicant does not believe that these references are any more pertinent or relevant than those previously cited, and requests that this application be allowed to proceed to allowance rather than be subjected to a continuing stream of objections which could have been made and overcome by applicant three or four years ago.

Applicant respectfully traverses the rejection of all claims under 35 U.S.C. Section 103 as based on Sanchez-Lazer et al., Hunt et al. and Cho et al. The reasons for the traversal are as follows.

With regard to claim 1, the Examiner states that Sanchez-Lazer et al. discloses claim 1's requirement of "developing electronic specifications describing the product and its components", and references, at column 19, lines 7-9 of Sanchez-Lazer et al., the language "test creation team preparing specific information on the desired test". Applicant draws the Examiner's attention to the remaining clause in that sentence, at column 19, lines 9 of Sanchez-Lazer et al. which states that "specific information is logged into a test planning system". The next sentence states that the TPS also generates test form records. As neither the test planning system or the test form records are described in Sanchez-Lazer et al. as being forwarded or being used to build a product, neither the test planning system nor the test form records correspond to the electronic specification as claimed in claim 1.

More specifically, the Examiner is incorrect in his assertion that Sanchez-Lazer et al. discloses claim 1's requirements of forwarding the electronic specification (i.e. either the test planning system or the test form records) to one of the several companies, the specific company building the component or product in accordance with the requirement in electronic specification (i.e. test planning system or test form records), the specific company testing the component or product, and the specific company appending the test results to the electronic specification (test planning system or test form records). Sanchez-Lazer et al. relates to the on-line selection and assembly of test items into tests (see Sanchez-Lazer et al. column 1, line 8). There is no disclosure in Sanchez-Lazer et al. that the test planning system or the test form records are forwarded to one of several companies or that the specific company builds a component or product in accordance with the requirements in the test planning system or the test form records and appends test results to the test planning system or test form records. At best, Sanchez-Lazer et al. states that at step 4 an assembler uses sets of saved constraints and an AIS interface screen to create an automated assembly request, and at step 5 the test assembly system (TAS) compares the worksheet contents to a saved constraint set containing test specifications and reports on the status of the assembly. With regard to acceptable deviations, these determinations are documented in an assembly records archive described

with reference to step 13. Nowhere does it state that the results of any testing are appended to electronic specifications or to the test planning system or the test form records nor is the assembly records archive "forwarded" or otherwise used in accordance with the requirements of claim 1. Consequently, applicant submits that Sanchez-Lazer et al. fails to make the disclosures relied upon by the Examiner and that claim 1 is novel and patentable in view of Sanchez-Lazer et al. whether Sanchez-Lazer et al. is taken individually or in combination with any other reference such as Hunt et al.

Claim 1 is novel and patentable in view of Hunt et al. as Hunt et al. fails to disclose or suggest the "developing", "forwarding", "building" and "appending" steps of claim 1.

Applicant also submits that no one would ever combine Hunt et al. and Sanchez-Lazer et al. to reach the claimed invention because these references are so dissimilar. Specifically, Sanchez-Lazer et al. relates to creating standardized tests to test academic skills. Examples of these tests are SAT, LSAT's and GMAT's. In stark contrast to Sanchez-Lazer et al., Hunt et al. is directed to a method and apparatus for randomly selecting and automatically testing surface mount passive electronic components. Applicant submits that no person of ordinary skill in the art would consider the electronic component testing disclosure of Hunt et al. to be at all relevant or related to the standardized test assembly disclosure of Sanchez-Lazer et al. and that no person of ordinary skill in the art would make the proposed combination. Applicant specifically traverses the Examiner's statement that Hunt et al. discloses a limitation in an analogous art. Claim 1 is submitted to be novel and patentable in view of both of these references.

Applicant traverses the rejection of claim 2 on the basis that retrieving from the central depository is distinct and different from forwarding an electronic specification.

With regard to claim 7, applicant submits that the deviation relied upon by the Examiner in rejecting claim 7 is not a late customer change as set forth in claim 7.

Applicant traverses the rejection of claim 9 for the same reasons that claim 1 was traversed but also on the basis that Sanchez-Lazer et al. makes no disclosures with regard to anything that might be termed a "sales order", and makes no disclosures regarding converting the sales order to an electronic build document where the electronic build document is transferred to a first company to build a first subassembly which is then tested and the test results attached to the electronic build document. Furthermore, no disclosures are made in Sanchez-Lazer et al. regarding forwarding the electronic build document to a second company for main assembly, attaching a communications bus testing the operability of the bus and adding the bus operability test results to the electronic build document. Sanchez-Lazer et al., in addition to having no equivalent to a bus or a sales order, does not include the equivalent of an electronic build document which is routed from company to company as required by claim 9. Moreover, claim 9 calls out a first subassembly and applicant notes that Sanchez-Lazer et al. does not appear to include anything that can constitute a subassembly.

Finally, applicant submits that if Sanchez-Lazer et al. does correspond to claim 9 (or claim 1) as alleged by the Examiner, it should be possible to replace the terms in claim 9 with the equivalent terms in Sanchez-Lazer et al. and have claim 9 (or claim 1) make sense. However, applicant submits that this cannot be done. If the terms in Sanchez-Lazer et al. are substituted in place of claim 9's requirements of sales order, electronic build document, first assembly, test results, main assembly, communications bus, etc., the disclosures in Sanchez-Lazer et al. do not make sense and the substitution cannot be done.

For all of these reasons, claim 9 is submitted to be novel and patentable in view of Sanchez-Lazer et al. whether taken individually or in combination with Hunt et al.

Similarly, with regard to claim 10, the foregoing comments with regard to claims 9 and 1 above are relevant but are not repeated. Applicant specifically submits that there are no equivalents to the sales order, build and test instructions, and installation sequence development

claimed in claim 10 in Sanchez-Lazer et al. and that any attempt to substitute equivalent terms in claim 10 for Sanchez-Lazer et al. would not make sense. Thus claim 10 is submitted to be independently novel and patentable in view of Sanchez-Lazer et al.

Applicant specifically traverses the rejection of claim 12 on the basis that the Examiner is ignoring the statement that the product has a communications bus. The scholastic aptitude test of Sanchez-Lazer et al. is not an assembly system and a communications bus in the context of a scholastic aptitude test does not make sense. Consequently, applicant submits that Sanchez-Lazer et al. cannot meet the requirements proposed by the Examiner.

Similarly with regard to the other dependent claims of the application and without going into detail, the communications bus of Sanchez-Lazer et al., presuming that such a bus does in fact exist, is not connected to the product in any way. Therefore, each claim having requirements relating to integrating the communications bus into the product cannot be met by Sanchez-Lazer et al.

With regard to claim 15, applicant submits that Sanchez-Lazer et al. does not determine a unique identity for a signaling component and applicant specifically traverses the Examiner's statement that Hunt et al. makes any such disclosure in column 6, lines 5-14. The language quoted by the Examiner from Hunt et al. is as follows:

"After a sufficient number of chips 20 have been positioned within test block track 92, one chip 20 will overlies sensor aperture 94. At this point, a reflective sensor 96 may be utilized to generate a signal indicating the presence of a chip 20 at the predetermined testing position. The output of reflective sensor 96 is then coupled, via sensor output 84, to appropriate control circuitry which is utilized to remove the air pressure coupled to the pneumatic cylinder 60 (see Figs. 4 and 5) such that the cylinder rod 62 will retract."

Applicant submits that there is nothing in this disclosure which meets the requirements of claim 15 of receiving a first signal from a component by means of a bus and determining a unique identity for the signaling component and then responding, by means of a bus, with a second signal to the component providing the component with an identity. Neither Sanchez-Lazer et al. nor Hunt et al. makes the requisite disclosure and therefore their combination fails to meet the requirements of claim 15.

With regard to other dependent claims, applicant submits that neither Sanchez-Lazer et al. nor Hunt et al. disclose creating a bill of materials and a specification and using the specification to create a build and test file nor the requirement of cross-checking an installation sequence with the specification or cross-checking a bill of materials with the installation sequence.

With regard to the rejections based on Cho et al. it is submitted that Cho et al. does not disclose providing a bill of materials at the time the electronic specification is developed as required by claim 3 and periodically comparing the bill of materials to the electronic specification to verify the accuracy of both as is required by claim 4 and 21. It is also submitted that the claims rejected in view of Cho et al. combination are patentable as based upon patentable claims and that a person of ordinary skill in the art would not combine Cho et al. with Hunt et al. and Sanchez-Lazer et al. due to the disparity between the scholastic test assembly process of Sanchez-Lazer et al., the electronic component testing method and apparatus of Hunt et al. and the manufacture order planning system of Cho et al. and the lack of a reason or teaching to make such a combination.

For all the foregoing reasons, the claims on file are submitted to be novel and patentable and reconsideration and withdrawal of the rejections of those claims is requested.

Respectfully Submitted,



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